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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,664	12/28/2001	Paul S. Chambers	US 018213	1835

7590 02/09/2005

Corporate Patent Counsel
U.S. Philips Corporation
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EXAMINER

BOUTAH, ALINA A

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary**Application No.**

10/034,664

Applicant(s)

CHAMBERS, PAUL S.

Examiner

Alina N Boutah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/15/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Collin et al.

(hereinafter referred to as Collin).

Regarding claim 1, Collin teaches a method of enabling to configure a home network that has a data processing device and a network access device for access to an external network, the method comprising:

monitoring communication between the data processing device and the access device
(abstract; col. 2, lines 12-35);

from the communication monitored extracting information for configuring the home network (col. 6, line 61 to col. 7, line 11).

Regarding claim 2, Collin teaches the method of claim 1, further comprising configuring the home network based on the information extracted (col. 6, line 61 to col. 7, line 11).

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Regarding claim 3, Collin teaches the method of claim 1, comprising guiding a user how to configure the home network based on the information extracted (col. 7, line 12-21).

Regarding claim 4, Collin teaches the method of claim 1, wherein the information extracted comprises an indication of one or more protocols below the transport level being used in the communication (col. 2, line 66 to col. 3, line 14).

Regarding claim 5, Collin teaches a software for configuring a home network, wherein the home network has a data processing device and a network access device for access of an external network, the software comprising:

a monitor for monitoring communication between the data processing device and the access device (abstract; col. 2, lines 12-35); and

a configuration program for configuring the home network based on information extracted from the communication monitored (col. 6, line 61 to col. 7, line 11).

Regarding claim 6, Collin teaches the software of claim 5 wherein the configuration program automatically configures the home network (col. 2, line 66 to col. 3, line 14).

Regarding claim 7, Collin teaches the software of claim 5, wherein the configuration program guides a user through configuring the home network based on the information extracted (col. 7, line 12-21).

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Regarding claim 8, Collin teaches an electronic apparatus for configuring a home network, wherein the home network has a data processing device and a network access device for access of an external network, the apparatus comprising:

a monitor for monitoring communication between the data processing device and the access device (abstract; col. 2, lines 12-35); and

a configuration program for configuring the home network based on information extracted from the communication monitored (col. 6, line 61 to col. 7, line 11).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. USPN 6,314,459 issued to Freeman.
2. USPN 6,826,605 issued to Freeman.
3. USPN 6,651,099 issued to Dietz et al.
4. USPN 6,519,723 issued to Allred et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alina N Boutah whose telephone number is 571-272-3908. The examiner can normally be reached on Monday-Friday (9:00 am - 5:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Will C. Vaughn
Primary Examiner
Art Unit 2143
William C. Vaughn, Jr.